



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the 23<sup>rd</sup> day of January, 2004

Essential Air Service at

**GREENBRIER/WHITE SULPHUR SPRINGS/  
LEWISBURG, WEST VIRGINIA**

under 49 U.S.C. 41731 *et seq.*

**Served: January 28, 2004**

**Docket OST-2003-15553**

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department of Transportation extends the service obligation of Air Midwest, Inc., d/b/a US Airways Express (Air Midwest), at Greenbrier/White Sulphur Springs/Lewisburg, West Virginia, for an additional 30 days, through [February 25, 2004](#).

**Background**

On June 30, 2003, Air Midwest filed a 90-day notice of its intent to suspend its unsubsidized service at Greenbrier/White Sulphur Springs/Lewisburg, effective September 28, 2003. By Order 2003-9-21, September 26, 2003, the Department prohibited Air Midwest from suspending service through October 27, 2003, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended Air Midwest's service obligation for additional 30-day periods, the latest through [January 26, 2004](#), by Order [2003-12-20](#).

Since this case will not be completed by the end of the current hold-in period, and in accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation at Greenbrier/White Sulphur Springs/Lewisburg for an additional 30 days, or until suitable replacement service actually begins, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

**ACCORDINGLY,**

1. We require Air Midwest, Inc., d/b/a US Airways Express, to maintain essential air service between Greenbrier/White Sulphur Springs/Lewisburg and Charlotte-Douglas International Airport, consisting of 14 round trips a week, for an additional 30-day period through

February 25, 2004, or until suitable replacement service actually begins, whichever occurs first;<sup>1</sup>

2. We direct Air Midwest to retain all books, records, and other source and summary documentation to support subsidy claims for payment, and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years or until the Department indicates that the records may be destroyed, whichever comes first. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;

3. Docket OST-2003-15553 will remain open until further order of the Department; and

4. We will serve a copy of this order on the Mayor and Airport Director of Lewisburg, West Virginia, and Air Midwest.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten (10) days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude its effectiveness.

By:

**RANDALL D. BENNETT**

Director

Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at  
<http://dms.dot.gov>*

---

<sup>1</sup> In accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation for successive 30-day periods, as necessary, until its proposed service actually begins.